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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/043,205      | 01/14/2002  | Won Hee Lee          | 0630-1398P          | 6141             |

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EXAMINER

PERRIN, JOSEPH L

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 1746     |              |

DATE MAILED: 05/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                      |   |
|------------------------------|----------------------|---|
| <b>Office Action Summary</b> | Application No.      | Applicant(s)  |
|                              | 10/043,205           | LEE ET AL.  |
|                              | Examiner             | Art Unit  |
|                              | Joseph Perrin, Ph.D. | 1746  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 24 March 2003.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 11-20 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) 7-10 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 January 2002 is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of claims 1-10 in Paper No. 4 is acknowledged. The traversal is on the ground(s) that "examination of all of the species together in one application would not place an undue burden on the Examiner." This is not found persuasive because applicant has not provided evidence that the species are not patentably distinct, or that there is a generic claim.
2. The requirement is still deemed proper and is therefore made FINAL.
3. Claims 11-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 4.

### ***Priority***

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

5. It is noted that an Information Disclosure Statement under 37 CFR 1.97 for the present application has not been received by the Office. Applicant believes this to be in error, Applicant is urged to submit documentation supporting a proper filing of any

previously submitted information disclosure statements in order to have such disclosures considered by the Office.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1, 2, 4 and 6 are rejected under 35 U.S.C. 102(a) as being anticipated by US 2001/0015082 to Minayoshi *et al.* (hereinafter “Minayoshi”).

Re claims 1-2, Minayoshi discloses a washer/dryer with an outer tub 3 supported in a case 1, a drain hose (not numbered, attached to valve 26) connected to the lower side of the outer tube, a rotatable inner tube 3 centered around a vertical rotation shaft 9 and connected to motor 8, an air circulative duct including a blower 15, a heating means 16 and a dehumidification means 12, and wherein the case, outer tub and inner tub have an opened upper surface and a closing means 23 (see entire reference of Minayoshi, for instance, Figure 1 and col. 2, paragraph 27 *et seq.*).

Re claim 4, Minayoshi discloses the dehumidification means 12 positioned at the rear side of the heater 16 in the airflow direction of the air circulative duct (for instance, as illustrated in Figure 1). Re claim 6, Minayoshi discloses a water discharge pipe (not numbered) connected to the lower portion of the air curculative duct (for instance, as illustrated in the bottom right corner of Figure 1).

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claim 1 & 3-4 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,029,458 to Obata *et al.* (hereinafter “Obata”).

Re claim 1, Obata discloses a washer/dryer having an outer tub 4 supported in a case 1, a drain hose 36, an inner tub 7 rotatably driven by a driving motor 15 installed at the lower side of the outer tub, an air circulative duct (combination of air pathways 27 and 31) including a blower 24, a heating means 29, and a dehumidification means 32 utilizing cooling water (see entire reference of Obata, for instance, Figures 1-2 and col. 3, line 61 *et seq.*).

Re claim 3, Obata discloses the air circulative duct and drain hose being diverged and having a valve 35 at the position of divergence (see, for instance, Figure 1). Re claim 4, Obata discloses the dehumidification means positioned at the rear side of the heater in the air flowing direction (see, for instance, Figure 2).

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over US to Minayoshi *et al.*

Minayoshi discloses the claimed invention except for the blower, dehumidification means and the heater being consecutively installed in the air flowing direction in the air circulative duct. It would have been obvious to one having ordinary skill in the art at the time the invention was made to rearrange the blower location in the air circulative duct in the manner as claimed above by applicant, since it has been held that a mere

reversal of the essential working parts of a device involves only routine skill in the art.

*In re Einstein, 8 USPQ 167.*

***Allowable Subject Matter***

14. Claims 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. The following is a statement of reasons for the indication of allowable subject matter:

16. The closest prior art references of record, Minayoshi and Obata, fail to teach each and every limitation of the instant invention. Specifically, the references fail to teach the claimed washer/drying including a dehumidification means having a compressor, a condenser, a capillary tub and an evaporator forming a refrigerating cycle circuit, which is disclosed as an essential element of claimed invention, as described in claim 7.

***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,530,245 to Kawabata *et al.*, which discloses a horizontal axis washer/dryer with dehumidification means.

US 6,434,857 to Anderson *et al.*, which discloses a horizontal axis washer/dryer with dehumidification means.

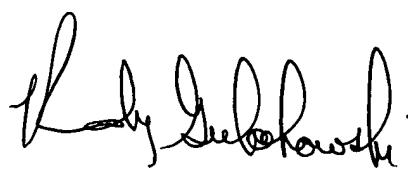
US 4,154,003 to Müller, which discloses a horizontal axis washer/dryer with dehumidification means.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Perrin, Ph.D. whose telephone number is (703)305-0626. The examiner can normally be reached on M-F 7:30-5:00, except alternate Fridays.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on (703)308-4333. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9310 for regular communications and (703)872-9311 for After Final communications.

20. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0661.

Joseph Perrin, Ph.D.  
Examiner  
Art Unit 1746



RANDY GULAKOWSKI  
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jlp  
May 5, 2003